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8 UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10 (OAKLAND DIVISION)

11 KEN WALTERS and JOHN BONILLA, in  
their respective capacities as Trustees of the  
12 OPERATING ENGINEERS HEALTH AND  
WELFARE TRUST FUND FOR NORTHERN  
13 CALIFORNIA, et al.,

14 Plaintiffs,

15 v.

16 GOLDEN GATE CRANE & RIGGING, INC.,

17 Defendant.  
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19 KEN WALTERS and JOHN BONILLA, in  
their respective capacities as Trustees of the  
20 OPERATING ENGINEERS HEALTH AND  
WELFARE TRUST FUND FOR NORTHERN  
21 CALIFORNIA, et al.,

22 Plaintiffs,

23 v.

24 GOLDEN GATE CRANE & RIGGING, INC.,  
ROBERT NEWBERRY, SUE NEWBERRY,  
25 et al.,

26 Defendants.  
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Case No.: C06-1906 WHA [DMR]

Consolidated With

Case No.: C06-5396 WHA [DMR]

**AMENDED ORDER SETTING DEBTOR'S  
EXAMINATION OF JUDGMENT  
DEBTOR ROBERT NEWBERRY**

1 Pursuant to Ex Parte Application of the Judgment Creditors for issuance of this Court's  
2 Order Scheduling Judgment Debtor Examination, and Good Cause Appearing therefore,

3 IT IS HEREBY ORDERED, ADJUDGED and DECREED that:

4 1. Judgment Debtor Robert Newberry shall personally appear on **December 7, 2011**  
5 **at 9:30 a.m.** at Oakland Courthouse, Courtroom 4 - 3rd Floor, 1301 Clay Street, Oakland, CA  
6 94612, California before the Magistrate Judge Donna M. Ryu then and there to be examined on  
7 oath concerning Judgment Debtor's property or other matters material to the proceeding.

8 2. Pursuant to stipulation with Judgment Debtor's counsel Diane Aquí, Plaintiffs shall  
9 serve Robert Newberry, by mail, at his residence address located at 6182 Skyfarm Drive, Castro  
10 Valley, CA 94552 with a copy of this Order and shall provide proof of such service to the Court  
11 not less than five (5) days before the Judgment Debtor's Examination.

12 3. Should Judgment Debtor fail or refuse to appear at the Judgment Debtor  
13 Examination herein scheduled, or to produce the documents pursuant to F.R.C.P. 34, this Court  
14 may adjudicate Judgment Debtor guilty of civil contempt of its orders and may issue a warrant or  
15 seizure order to compel compliance with this Order.

16 DATED this 23rd day of August, 2011

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UNITED STATES MAGISTRATE JUDGE  
DONNA M. RYU  
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